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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CHARLES RIDGEWAY, JAIME FAMOSO,
JOSHUA HAROLD, RICHARD BYERS, DAN
THATCHER, NINO PAGTAMA, WILLIE
FRANKLIN, TIM OPITZ, FARRIS DAY,
KARL MERHOFF, and MICHAEL KROHN,

Plaintiffs,

v.

WAL-MART STORES, INC., a Delaware
corporation d/b/a WAL-MART
TRANSPORTATION LLC, and Does One
through and including Doe Fifty,

Defendants.

[Previously captioned as *Bryan et al. v. Wal-
Mart Stores, Inc.*]

CASE NO. 3:08-cv-05221-SI

**STIPULATED REQUEST AND
~~PROPOSED~~ ORDER TO REMOVE
APRIL 19 SETTLEMENT CONFERENCE
FROM CALENDAR**

1 The undersigned counsel, on behalf of Plaintiffs Charles Ridgeway, Jaime Famoso, Joshua
2 Harold, Richard Byers, Dan Thatcher, Nino Pagtama, Willie Franklin, Tim Opitz, Farris Day, Karl
3 Merhoff, and Micheal Krohn ("Plaintiffs") and Defendant Wal-Mart Stores, Inc. ("Wal-Mart," and
4 collectively, with Plaintiffs, the "Parties"), hereby stipulate as follows, subject to the Court's
5 approval:

6 **RECITALS**

7 WHEREAS, at the request of the Parties who voluntarily agreed to proceed to a mediation
8 with a federal magistrate, the Court scheduled a settlement conference before Chief Magistrate Judge
9 Spero which is currently set for April 19, 2016 (ECF 250);

10 WHEREAS the Parties have met and conferred and through that meet and confer process
11 have elected to use a private mediator in lieu of a federal magistrate judge, and the parties are in the
12 process of selecting and scheduling a mediation with that mediator.

13 **STIPULATION**

14 Accordingly, the Parties now jointly stipulate and respectfully request that this Court remove
15 the currently scheduled settlement conference with Magistrate Judge Spero from the Court's calendar.

16
17 Pursuant to Local Rule 6-2(a), the declaration of Jesse A. Cripps in support of this stipulation
18 is filed herewith.

19
20 IT IS SO STIPULATED.

21 Dated: April 15, 2016
22
23
24
25
26

By: /s/ Daniel Kopfman

Daniel Kopfman
WAGNER, JONES, KOPFMAN, &
ARTENIAN LLP
Attorneys for Plaintiffs

By: /s/ Jesse A. Cripps

Jesse A. Cripps
GIBSON, DUNN & CRUTCHER LLP

Attorneys for Defendant

I, Jesse A. Cripps, attest that concurrence in the
filing of this document has been obtained from the
other signatory.

~~[PROPOSED]~~ Order

Pursuant to the above stipulation, the Stipulation and Order regarding the settlement conference postponement is approved.

DATE: 4/18/16



THE HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE

By April 25, 2016, counsel shall report to the Court the name of the private mediator and the scheduled date of the mediation session.